



General Assembly

February Session, 2000

***Amendment***

LCO No. 4205

Offered by:

REP. COCCO, 127<sup>th</sup> Dist.

To: Subst. House Bill No. 5798

File No. 276

Cal. No. 239

***"An Act Concerning Railroad Trespass Prevention."***

1 Strike out everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Section 53a-3 of the general statutes is amended by  
4 adding subdivision (23) as follows:

5 (NEW) (23) "Railroad property" means all tangible property owned,  
6 leased or operated by a railroad carrier including, but not limited to, a  
7 right-of-way, track, roadbed, bridge, yard, shop, station, tunnel,  
8 viaduct, trestle, depot, warehouse, terminal or any other structure or  
9 appurtenance or equipment owned, leased or used in the operation of  
10 a railroad carrier including a train, locomotive, engine, railroad car,  
11 signals or safety device or work equipment or rolling stock.

12 Sec. 2. (NEW) (a) A person is guilty of simple trespass of railroad  
13 property when, knowing that such person is not licensed or privileged  
14 to do so, such person enters or remains on railroad property without  
15 lawful authority or the consent of the railroad carrier.

16 (b) Simple trespass of railroad property is an infraction.

17 Sec. 3. (NEW) (a) A person is guilty of damage to railroad property  
18 in the first degree when: (1) With intent to cause damage to railroad  
19 property and having no reasonable ground to believe that such person  
20 has a right to do so, such person damages such property in an amount  
21 exceeding one thousand five hundred dollars, or (2) with intent to  
22 cause an interruption or impairment of railroad service rendered to the  
23 public and having no reasonable ground to believe that such person  
24 has a right to do so, such person damages or tampers with railroad  
25 property and thereby causes an interruption or impairment of railroad  
26 service rendered to the public.

27 (b) Damage to railroad property in the first degree is a class D  
28 felony.

29 Sec. 4. (NEW) (a) A person is guilty of damage to railroad property  
30 in the second degree when: (1) With intent to cause damage to railroad  
31 property and having no reasonable ground to believe that such person  
32 has a right to do so, such person damages such property in an amount  
33 exceeding two hundred fifty dollars, or (2) with intent to cause an  
34 interruption or impairment of railroad service rendered to the public  
35 and having no reasonable ground to believe that such person has a  
36 right to do so, such person damages or tampers with railroad property  
37 and thereby causes a risk of interruption or impairment of railroad  
38 service rendered to the public.

39 (b) Damage to railroad property in the second degree is a class A  
40 misdemeanor.

41 Sec. 5. (NEW) (a) A person is guilty of damage to railroad property  
42 in the third degree when, having no reasonable ground to believe that  
43 such person has a right to do so, such person: (1) Intentionally or  
44 recklessly (A) damages railroad property, or (B) tampers with railroad  
45 property and thereby causes such property to be placed in danger of  
46 damage, or (2) damages railroad property by negligence involving the  
47 use of any potentially harmful or destructive force or substance

- 48 including, but not limited to, fire, explosives, flood, avalanche, collapse  
49 of building, poison gas or radioactive material.
- 50 (b) Damage to railroad property in the third degree is a class B  
51 misdemeanor."